AN INTERESTING WILL CASE. A Question of Beligious Preferences and \$300,000.

The London Daily News says: "It is seldon that a story without an end is so interesting as that contained in the great will case just reported from Dublin. A jury, after nine days of trial, found it impossible to agree upon a verdict, and, considering the religious prejudices enlisted in the cause, and the narrowness of the issue upon which it turned, we cannot affect to seel any surprise at the result. And the same in di pute was executed on Monday, the 5th of last August, by the wife of the Right Hon. Sir Thomas Esmonde, of Johnstown Castle, in the county of Wexford. Lady Esmonde, the testatrix, was a lady of strong mind, and of such ousiness like habits as singularly qualified her for the management and disposition of the large property she possessed. She had married, nearly fitty years ago, a gentleman named Morgao, by whom she had two daughters, who breame respectively Mrs. Deane and Lady Granars. In 1856, being then a widow, she married Sir Thomas Esmonde, and they lived, as far as appears, on very good terms. There was, however, a se ious point of difference between them. Sir Thomas was a Boman Catholic, his wife a Protestant, and deeply attached to the Reformed Church.

"At the end of 1866 or the beginning of 1867,

an event occurred which led to family ruptures, and ultimately to this remarkable litigation. Lady Granard, Lady Esmonde's younger daugh-ter, became a convert to the Romish faith, and ter, became a convert to the Roman land, this apostasy distressed her mother exceedingly this apostasy distressed or enertained It was not that she expressed or entertained any ill will to her child, but in her attachment to the Protestant Church she could not endure the thought that her property should go to the support of the Roman Catholic creed. ingly she at once resolved upon executing a will by which the Reformed Church should acquire directly the beneat of her wealth. As it happened, this could be done with compara-tively little injury to the family, for her two children would necessarily inherit large fortunes, and her husband was already rich. How-ever, she determined on disposing of the £60,000 or £70,000 at her own command in favor of certain Protestant institutions, designing, in par ticular, to found a college for the rons of Protestant clergymen in connection with Trinity College, Dublin. To this special object she de voted some three-fourths of the property, the rest being distributed in smaller bequests of analogous character.

"These resolutions she communicated to the clergyman of the parish, and in the month of April, 1867, she repaired, in his company, to Dublin, where she gave the requisite instructions to her solicitor. Up to this time, and, indeed, to a later period, it is admitted that the proceedings were open to no exception. Lady Esmonde knew well what she was about, nor was she proposing to do anything beyond her power or inconsistent with reason. No suspiction was thrown upon her capacity, nor was propi given of undue or improper influence.

"Nevertheless, Lady Esmonde's health was falling, and it does not appear from the evidence as if a conflict of claims or hopes was carried on around her bed of sickness. She was watched, it is said, by Protestant friends and servants against the possible approaches of the opposite party, though the contest was rather between churches than families. The elder daughter took nothing by the new will, though the younger daughter might be deprived of her expectations; in fact, they were both disinherited ogether, nor was the fact of much consequence, considering their wealth. Had there been no will, the property bequeathed would have gone to Sir Thomas Esmonde, but he appears to have regarded the matter with indifference or forbearance, though it was put in evidence that he was acquainted with his wife's designs. We must now, however, explain-for it is the cur-cumstance on which the whole case hinges-that the wall, all this while, had never been executed. Certain alterations had been suggested, and fresh drafts proposed, until at last the end of July arrived, and no will had been actually signed. It was then almost too late, On the 1st of August Lady Esmonds was smitten by paralysis and deprived of the use of her right After this the circumstances ensued in which the trial took its rise.

"On Saturday, the 3d of August, the solicitor arrived at Johnstown Castle with the will. On Sunday, the 4th, there was a proposal that it should be executed, but Lady, Esmonde was so weak that the document was thought too long for her comprehenssion, and accordingly a new instrument was prepared in a condensed and abridged form. This was signed by Lady Esmonde on the following day, or rather executed, for she was unable to write, and only attached her signature or mark with the assistance of another band. Now, was she at that moment a competent testatrix, and was the will, under circumstances, duly executed? Here intricacies of the case are first revealed. On behalf of the will there was this strong argument-that, whatever might be the condition of the testatrix at the moment of its execution, it did undoubtedly represent her wishes and intentions, formed and clared when her capacity was unim-peached. The instrument was essentially the same in purport as that which had been ap-proved, nor were the alterations or omissions suce as to establish any ball faith. But, forcible though this argument might be, it was not conclusive, for Lady Esmonde might possibly have desgned to retract her directions, and unless shewas actually competent to execute the will at be moment when she did execute it, the instriment could not be valid. On this point the sultiety of the distinctions taken was extraor-The medical evidence generally was to the effect that Lady Esmonde did retain her faulties, notwithstanding the paralytic stroke bu only to an extent enabling her to complete a oregone purpose.

'A particular incident was related showing the singular ambiguity of the case. Lady

Emonde actually told her husband, Sir Thoms, that she had not signed any will; but this ws inceniously explained afterwards to mean tht she had been unable to affix her ordinary sinature. It is curious, too, that even the winesses who questioned the competence of the testatrix on the 5th of August seemed to hae anticipated that she might have been caable of making a fresh will at a later

The argument of those by whom the will we opposed turned, of course, upon the con-terion that the declaration of the testatrix was oblined by surprise; nor is it to be deuled that thidelay in the execution of the instrument had goe very far towards making the execution impossible. Certainly it involves an unusual nisty of discrimination to say that a person iucopetent to originate a purpose may yet be copetent to accomplish a purpose already orinated; and the actual condition of Lady Raonde may be interred from the conclusions of hose who would not venture to place even thwill of her own dictation before her except inn abbreviated form. The story gives us one more warning of the

diger by which delay in such matters is atnoted. Had Lady Esmonde given effect to hemteutions when they were first matured. at executed her will as soon as it was prepared foher signature, we should have heard nothing othis famous cause.'

THE INDIANS.

Ancks upon Graders' Camps on the Pathe Ratiroud-Several Men Killed.

Fm the Omaha Republican, June 27. e are under obligations to J. E. House, Esq. ohe engineers' office of the Union Pacific Riroad Company, for the following extract fra a letter written by A. G. Ferguson, Esq., assiant engineer in charge of surveys, and dad North Platte, Dakotab Territory, June 20, 18: We fear it knocks peace calculations all ime head:—

ha Indians are tropplesome again. Graders wit of here have been fighting them the last twlays. This afternoon they attacked a camp twinys. This afternoon they attacked a camp attavilins' Springs, sixteen miles west of here, ar killed one man; and they attacked the cap on the town site of Benton and got some six. They rode down in sight of my camp to the the fiver opposite the ferry and cared six head of stock. They also attacked a iding camp twenty miles west, killing and soing two men. The bodies have just arrived by I think there is quite a party of Indians lines immediate neighborhood who mean inje immediate neighborhood who mean whief. The above Indian stories are all facts prin."

BUSINESS NOTICES.

ALPACA AND DRAP D'ETE SACK COATS,-Black and favoy colors Cloth Sack Coats, light weight, Black and fancy colors C.oth Chesterfields, light

weight. Linen and Duck Sack Coats, white and colored. Cloth, Cassimere, Drap d'Ete and Lines Vests. Cassimere and Linen Pants, large assortment. Linen Dusters.

Every variety of Clothing suited to the season for Men, Youth, Boys and Children, new, fresh and fashlonable, replenished daily, and selling rapidly at prices guaranteed lower than the lowest elsewhere, and full satisfaction guaranteed every purchaser, or the sale cancelled and money refunded.

Half way between
Fifth and
Sixth streets

BENNETT & Co.,
Tower Halt.
No. 518 Market St.,
Philadelphia, AND NO. 600 BROADWAY, NEW YORK.

HURRAR FOR THE FOURTH !- The "Fourth" WAS the day of our boyish faucles-was the day when all our savings of three months and better vanished like smoke; ludeed if they had 'been in oil" they could not have gone quicker than they did in fire-crackers, pin-wheels, and rockets. But now it is the day of quiet for us, away from noises, exchanging firecrackers for water-crackers, and the fancy dress of the "Club" for the cool and easy-fitting summer suit from Stokes & Co.'s, under the Continental, and instead or listening to "Fourth of July" orations, reading of the safe journey of Congressmen to their homes, and hoping they may long enjoy them.

JEWELBY .- Mr. William W. Cassidy, No. 12 South Second street, has the largest and most attractive assortment of fine jewelry and sliverware in the city. Purchasers can rely upon obtaining a real, pure arti cle furnished at a price which cannot be equalled He also has a large stock of American watches in all varieties and at all prices. A visit to his store is sure to result in pleasure and profit.

FOURTH OF JULY AND CAPE MAY - A special excursion train will run to Cape May on Saturday, July the 4th. The new Excursion House will be open, a Grand Hop will take place, and Hassler's Band will be in attendance.

FINE CUSTOM MADE BOOTS AND SHOES for Genlemen. Bartiett, No. 33 South Sixth street, above

GROVER & BAKER'S Bighest Premium Sewing Machines, No. 730 Cheanut street.

TRENWITH'S NEWS DEFOT, at No. 167 S. Third a reet is the place to find all kinds of reading matter. He keeps on hand a constant suoply of all the periodicals, magazines. pictorials, fashion plates, and every description of light reading. If he does not have what you desire, he will send for it. If you wish the New York papers Trenwith's is the place to obtain them, as he has perfected arrangements whereby he receives them long before the regular roads arrive.

OUR STOCK OF SPRING CLOTHING is decidedly the cheapest and best. People will not believe it until they come and examine,
WANAMAREE & BROWN, The Largest Clothing House,
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The Corner of Sixth and Market streets.

OUR BOYS' AND YOUTHS' SUITS for Dress or School are the cheapost, prettiest, and best, wre the cheapest, prefficient and best.

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The corner of Sixth and Market streets,

MARRIED.

HOYER-COLEMAN.-On Tuesday, June 30, 1838, at the residence of the bride's mother, by Rev. S. A. Mutchmore. Dr. J. C. HOYER, of Harrisburg, to Miss ELLIE R. COLEMAN, of Philadelphia. No

DIED.

CRAWFORD.—On June 20, ADAM McCOY, son of Rebert and Susannah Crawford, aged 19 years.

The relatives and triends of the family are respectfully invited to attend the funeral, from the residence of bis parents, No. 404 S. Twentieth street, on Friday, the 3d instant, at 3½ o'clock P. M. To proceed to Machpelah Cemetery.

McDAID.—On the 1st Instant, Mrs. ANNA L., wife of James McDaid, aged 43 years
The relatives and risends of the family are respectifully invited to attend the funeral, from the residence of her husband. Twenty-aeventh street and Peunsylvania avanue, on Sunday atternoon next at 3 o'clock. To proceed to the Philanthropic Cemetery.

MOYER.—On the 39th ultimo. CHAS. S. MOYER, formerly of Potistown, in the 48th year of his age.
The relatives and friends of the family, also Pughtown Lodge, No. 283, and Hand-in-Hard Lodge, No. 63 I. O. of O. F., and the O'der in general, are invited to attend his funeral, from his late residence, Edmund street, above Orthodox, Frankford, on Friday afternoon, the 31 instant, at 2 o'clock. To proceed to Cedar Hill. McDAID .- On the 1st Instant, Mrs. ANNA L., wife

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A fresh invoice of Cliquot, Roederer, G. H. Mumm's. Jules Mumm's, Heldselk, and Carte d'Or. Sold by us at the agents' prices in New York and Buston.

ALSO, MOSELLES AND ECCES;

Longworth's Sparkling and Dry Wines, CLARETS OF DIFFERENT GRAUES.

And a choice variety of SHERRIES, FINE BRAN-DIES, and CORDIALS

SIMON COLTON & CLARKE,

Importers of Fine Wines,

S. W. Corner BROAD and WALNUT Sts.,

PHILA DELPHIA. 40 CENTS, THE BEST ROASTED COF. old established Tes Warehouse, No. 238 CHESNUT Street.

30 CENTS,-GOOD STRONG BOASTED WILSON'S, No. 226 CHESNUT Street,

CENTS.-JAVA COFFEE, IN LARGE Government sacks at WILSON'S.

English chickory, for making of confeerich and strong. For sale at Wilson's old established Tea Warehouse, No. 286 CHESNUT street.

80 CENTS PER POUND,—GOOD STRONG WILSON'S,
No. 236 CHESNUT Street. ORANGE PEROE AND ENGLISH BREAK-No 288 CHESNUT Street.

CIPTINGS PROM THE BEST TEAS IN THE

MEDICAL.

IMPORTANT TO INVALIDS.

IRON IN THE BLOU'D.

A PERMANENT TONIC,

WITHOUT ALCOHOL.

HEALTH FOR THE SICK.

STRENGTH TO THE WEAK.

VIGOR FOR THE FEEBLE.

THE PERUVIAN SYRUP, a Protected Solution of the Protexide of Iron, strikes at the root of disease by supplying the blood with its VITAL PRINCIPLE OR LIFE ELEMENT, IRON, giving Strength, Vigor, and New Life to the whole system.

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Builds up Broke 1-down.

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Dyspepsia. Invigorates

Cures

Brain

PERUVIAN SYRUP

Cures Female Weakne

PERUVIAN SYRUP

Cures Spring Debility.

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Vitalizes and Purifies the Blood,

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Restores the Vigor of Youth.

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Is Pleasant take

Being free from Alcohol in any form, its energizing effects are not followed by corresponding reaction, but are permanent,

Stimulants only afford temporary relief, and have the same effect as giving a tired horse the whip instead of oats. The true way is to invigorate the debilitated system by supplying the blood with its Life Element-IRON, thereby infusing strength, vigor and new life into all parts of the system, and building up an IRON CONSTITUTION.

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This well-known house has been REMOVED, REMOBRLED, and very much ENLARSED, with commodious and comfortable rooms.

Located between United States Hotel and the beach.
The grounds surrounding are licely enclosed and
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Attached to the establishment is a line of coaches, for the accommodation of guests.

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